



state senator

# Mike Young

2005 LEGISLATIVE UPDATE

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# Mike Young

serving district 35

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## New Law Requires Pledge in Schools

Pledging allegiance to the United States Flag is a long-standing tradition for our school children. As early as preschool, children learn to recite the simple phrases that instill a sense of pride and loyalty toward their country.

Not so long ago, schools across the nation set aside time each morning for the Pledge. It was part of the day. Now, some schools give students an opportunity to say the Pledge only once a week; other schools have done away with it altogether.

A bill I authored passed the General Assembly this year to give every student the chance to pledge allegiance to the Flag. Senate Bill 332 requires that schools set aside a few minutes each day to allow students time to recite the Pledge and for a moment of silence.

Children today are growing up in the wake of September 11, and many have family currently deployed in the military. They deserve the right to show their pride and loyalty for their country.

Just as pupils have an option to recite the Pledge, the moment of silence requires students to do no more than remain quiet. The choice of whether or not to pray is purely theirs.

Children spend the greater part of their day inside a classroom, and they should be provided a few moments to pay respect to their country, their liberties, and the soldiers who continue to sacrifice for all of us.

## INSIDE THIS ISSUE:

- Voter Fraud
- Fighting Meth
- How I Voted
- Defining Marriage

## The State Budget: Holding the Line on Spending

### LEGISLATURE PASSES FIRST BALANCED BUDGET IN 10 YEARS

The Indiana General Assembly has passed a balanced two-year state budget that holds the line on spending, eliminates the structural deficit, adds no new state taxes, provides \$4 billion in property tax replacement credits and adds \$112.4 million to K-12 education.

Senate Republicans voted to control state spending while boosting funding for K-12 education, scholarships for higher education and child protection. Medicaid funding is held to a 5 percent increase. This is in contrast to the 10 percent in the current biennium.

The passage of this budget bill is quite an accomplishment. To overcome a \$600 million structural deficit and end up with reserves – all without new state taxes – is no small feat.

Education funding remained a top priority by the Senate Republicans. The school funding formula is driven by an innovative approach that funds children as individuals instead of simply funding corporations. Special factors are taken into consideration, such as poverty, single parent families and free lunches, when determining the level of funding that is to follow a child.

The General Assembly continually has increased education spending in past years, even when other states were cutting education. In 2003, Indiana had the highest increase of K-12 funding in the country – during a national recession. The new budget

gives more money and funding options to Indiana public schools than has ever been given in the history of the state.

Additionally, the state is distributing to local governments \$4 billion in property tax replacement credits (PTRC), in an effort to provide relief to homeowners and other property tax payers. Local governments and schools keep 99.9 percent of all property taxes, which are levied by local governments and schools. Half of all revenue raised by the state sales tax is used for PTRC, as is 14 percent of the income tax and nearly a half billion dollars every year from the wagering tax.

Earlier in the session, Senate Republicans voted to pass a measure to reform the property tax system by giving local governments an option to shift the property tax burden to an income tax in order to be more fair and equitable to Hoosiers. The initiative was successful in the Senate but failed to receive consideration in the House of Representatives when the bill met substantial opposition from local government officials.

The new budget is a prescription for positive change in Indiana. It is the first balanced budget crafted by legislators in 10 years. I strongly support efforts to keep spending down while providing adequate funding for essential services.

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## Ultrasound Initiative Signed into Law

I authored Senate Enrolled Act 76 this session to require health care providers to give a pregnant woman information regarding the availability of ultrasound imaging and auscultation heart tones of a fetus before performing an abortion.

Having an abortion is a life altering event, and women need to be given as much information as possible before making a final decision. A similar law has reduced abortions in Wisconsin, and I am hopeful that we can pass this bill and save the lives of unborn Hoosier children.

Abortions in Wisconsin have fallen to rates far below the national average since the state passed this and several other abortion laws. In 1999, the abortion rate in Wisconsin was nine per 1,000 woman compared to 1980 when the rate was 20 per 1,000 women. The national average is around 20 per 1,000.

The life of a child is irreplaceable. Once a baby is conceived, you are a parent. I believe we can reduce abortions by helping women make an informed decision. If just one mother decides to have her baby, then we have succeeded.

Many crisis pregnancy centers already employ ultrasound technology in their counseling of pregnant women. Those that have the machines do not require it, but rather give expectant mothers the option of seeing their child and hearing his or her heart beating. SEA 76 requires abortion facilities in Indiana to provide this option to all patients prior to performing the procedure.

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# How I Voted On Key Issues

**HEA 1501**—This bill establishes the position of inspector general, an employee of the governor, who works to weed out corruption. Years of scandal in previous administrations cost the state at least \$25 million; we may never know the full extent of misspending. **PASSED. My vote: YES**



**SEA 598**—Charter schools are state-funded public schools that operate free of many state regulations, but are accountable for their results in the same manner as traditional public schools. SEA 598 eases funding restrictions for charter schools in order to give them at least a few of the same opportunities afforded to other public schools. **PASSED. My vote: YES**



**SEA 1**—Establishes provisions that exempt professional motor racing parts from sales tax and adds "professional motor vehicle racing" to the list of businesses that qualify for the Venture Capital Investment Tax Credit. The measures also made other tax credits such as Hoosier Business Investment Tax Credits easier to qualify for. **PASSED. My vote: YES**



**HEA 1776**—This bill permits a law enforcement officer to seize a firearm possessed by an individual whom the officer reasonably believes to be dangerous. It also requires the firearm to be returned to the individual within 14 days unless a court finds that the individual is dangerous and that retention of the firearm by the law enforcement agency is appropriate. The bill was derived from the death of IPD officer Jake Laird. **PASSED. My vote: YES**



**SEA 307**— This bill creates parts of the Indy Works proposal from the mayor. It allows police and sheriff consolidation to be accomplished by a simple majority vote of the City-County council. The Office of Finance and Management is consolidated to give all budget functions to the City Controller and consolidates all bill paying with the County Auditor. A study committee, consisting of 15 members, will review consolidation, duplication and efficiency and report back to the Legislative Council by Dec. 1, 2005 for a 2006 proposal. **PASSED. My vote: YES**



# Rooting Out Voter Fraud

Secure, fair elections are essential to preserving the rights of all Americans

Voting in a fair and credible election is at the heart of American citizenship. It is the Legislature's responsibility to adopt policies that protect our representative democracy by ensuring each vote cast is valid and legal.

A group of Senate bills were introduced this year to update outmoded election laws, reinforce the integrity of voting absentee and strengthen voters' rights at the polls by ensuring their votes are secure.

Of all the reform initiatives, none may be as critical as Senate Enrolled Act 483.

SEA 483 requires citizens to show government-issued photo identification at the polls before voting. Photo IDs are required for many commonplace circumstances that Americans face every day, like renting a video or obtaining a library card. It only makes sense that a photo ID be required for something as important as voting.

In fact, many voters are surprised to learn they are not currently required to show some form of identification at the polls. It is not uncommon for a voter to arrive at the polling place and instinctively reach for a purse or wallet to retrieve an ID, only to be told it is unnecessary.

Years ago, poll workers knew the people in their precinct and had no reason to question someone's identity. Now, it is increasingly common for Election Day volunteers to live in another town or city than the one in which they are serving. The voter ID bill gives poll workers a tool to verify a person's identity. Considering recent nationwide voting problems, and some within

Indiana, this is a common-sense step to help prevent fraud.

Objections to requiring a photo ID stem from a concern that some voters cannot afford the \$9 fee needed to purchase a state ID card. The Bureau of Motor Vehicles has agreed to grant photo IDs free of charge to those who cannot pay. Residents of state-licensed nursing homes are exempt from showing identification if a polling place is located in the facility where they reside. The bill also protects the rights of those who have a religious objection to being photographed.

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In 2003, the BMV issued 5.6 million driver licenses and 1.4 million state ID cards. With the state's adult population being just over 4.5 million in 2000, it's hard to imagine this legislation having an adverse effect on the vast majority of Hoosiers. The voter ID initiative has been supported publicly by Secretary of State Todd Rokita, the Indiana's chief election officer.

This simple change in the rules will inspire more confidence in the election process and in our state government. Legislators want to protect voters' rights and assure that every vote is counted fairly and equally.

# New Law Cracks Down on Meth Labs

Rarely does a week in Indiana pass during which Methamphetamine abuse is not mentioned on the news. Methamphetamine production has become widespread in our state, and this year the legislature has proven its commitment to curbing this criminal activity.

Meth is dangerous and has high potential for serious addiction. It is commonly referred to as meth, crank, or speed, and produces physical effects similar to cocaine; however, the long-term damage to a meth user's body is much worse.

In 2003, Indiana law enforcement seized 422 meth labs, a figure higher than any other Midwestern state, according to the U.S. Drug Enforcement Administration. While Mexican-produced meth is the most prominent throughout the Midwest, home labs are on the rise in rural areas of Indiana. This can be attributed to the availability of anhydrous ammonia, a common agricultural fertilizer, which is used in meth production.

It is difficult to catch meth producers. All of the ingredients needed to manufacture meth can be purchased legally and are relatively inexpensive. For example, an investment of \$1,000 in easily purchased ingredients can produce \$20,000 worth of meth.

This year, the General Assembly passed a bill I authored to regulate the sale and purchase of meth precursors in the hope of reducing production in Indiana. Senate Bill 444 has seen many changes throughout this year's session, and the finished product is a law that should produce positive results.

The bill includes a variety of measures designed to stop the produc-



PHOTO: Sen. Young addresses the full Senate to discuss Senate Bill 444, known as the Anti-Meth Bill. Young was the primary author of this critical legislation that has been signed into law by the governor.

tion of meth by placing restrictions on the sale and purchase of drugs containing ephedrine or pseudoephedrine, commonly found in over-the-counter cold and allergy medicines.

Retailers must store such drugs in a locked display case or behind a counter that requires employee assistance. Pharmacies may place the drugs directly in front of the pharmacy counter in the line of sight of a pharmacy employee and in an area under constant video monitoring.

Customers purchasing these drugs must present identification and record their names, addresses and driver's license or other ID number in a log book provided and maintained by the retailer.

The bill bars retailers from selling the drugs to individuals under age 18 and allows no more than 3 grams of drugs containing ephedrine or pseudoephedrine in any one transaction. It also prevents customers from purchasing more than 3 grams of such drugs in a single week.

Meth production has become a significant problem in Indiana. The spread of this drug is having a major, long-term, devastating impact upon our communities, and we have no choice but to fight back with every available weapon.

# Young Works to Define Marriage in Indiana

A few years ago, the Indiana Civil Liberties Union sued Marion County on behalf of three same-sex couples to have their relationships recognized as marriages in the state of Indiana, and in the process challenged the state's legal definition of marriage. The Marion Superior Court dismissed the lawsuit in 2003 because state law clearly defined marriage. The ICLU appealed that action, and the case was taken to the Indiana Court of Appeals. Recently, the Court of Appeals rendered a verdict in the case upholding the state's statute that defines marriage as an institution between one man and one woman.

While I applaud the Court of Appeals for its ruling, more must be done to protect our law. An amendment to the Indiana Constitution is the only means available to protect our law and our traditions from further lawsuits. I co-authored Senate Joint Resolution 7 to amend the constitution to prevent the courts from defining marriage.

The proposed amendment includes a section that bars courts from interpreting the constitution or any Indiana law as a mandate to grant marital status to unmarried couples or groups. Article 4, section 1 of the Indiana Constitution reads: "The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives." The public elects legislators to craft

laws based on the wants and needs of citizens. This amendment merely reinforces that constitutional duty.

The court battle highlights the importance of beginning the lengthy process to amend the Indiana Constitution as soon as possible. Amending the constitution requires multiple steps. First, either a senator or a representative authors a resolution to put the proposed amendment on the statewide ballot on Election Day. If the resolution fails on the first try, it's back to the drawing board - an amendment must be approved by two separately elected, consecutive Indiana General Assemblies.

The first step in the amendment process has been completed. The Senate approved the resolution by a vote of 42 to 8, and the House of Representatives recently passed the measure by a vote of 76 to 23. Therefore, it must gain the approval of the General Assembly again during the 2007 or 2008 session and then appear as a question on the 2008 general election ballot for public approval.

Hoosiers ultimately should have the final say when it comes to this issue. Last November, voters in 11 states approved similar amendments across the nation. Indiana legislators acted this year in order to place this decision in the hands of the people.

